

COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

(Full name of plaintiff(s))

Joseph E. Jemio**FILED**

2:28 pm, Nov 29, 2018

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Laura A. Briggs, Clerk

vs

Case Number:

1:18-cv-3750-JPH-DLP

(Full name of defendant(s))

^{Super.}
Mr. Hyatt; Mr. Kinnegel

(To be supplied by clerk of court)

^{co.}
Mr. Houston, Mr. Renow^{commissioner.}
Robert E. Carter, State of Ind., et al,**Dr. Merandot**Wexford Medical, Dr. Bobby, Jennifer Austin, RN, Veronica Fanning
Head of medical Lynn Fry Regional Director Leann Ivers.**A. PARTIES:**

1. Plaintiff is a citizen of
- Indiana
- , and is located at
-
- (State)

3038 W. 850 S. Bunker Hill In 46914.

(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant
- miami Correctional Facility et al,
-
- wexford medical et al,
- (Name)

is (if a person or private corporation) a citizen of United States

is (if a person or private corporation) a citizen of Indiana
(State, if known)
and (if a person) resides at miami correctional Facility 3038 W 850 S Bonaventura In 46914
(Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for miami correctional Facility, weyford medical
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

1). Superintendent Mr. Hyatt, Lt. Kinnager, Co. Houston, Co. Renow
Doc. Commissioner Robert E. Carter, U.S.A. Bobby, RN.
Vernie Fanning, RN. Gennifer Austin, Head of Nursing Lynn Fry
Regional Director LEE ANN IVINS

2). Since 2016 I've been at miami correctional Facility's
medical because of my medical needs (cancer). now Mr. Hyatt
The Superintendent and the Doc. Commissioner Robert E. Carter know
about my medical needs. They also know I'm wife of Eric and
have at least one problem for the doc or medical they had
and have the power to allow me to have leg restraints only

not on Brower of The cancer and because that's injected into
 my body which makes it hard for me to walk amongst other
 issues. Head of nursing Lynn Fry has the authority to allow me to
 have a wheel chair for my trips but she refuses because I refused
 to sign a DNR (Do not Resuscitate) Form she told me if I
 signed she would make it to where I wouldn't feel any pain but
 since I refused to sign she said I would hurt very bad till I
 die. I've had cancer since 2012 and I've been at Miami Correctional
 Facility since 2016 my cancer is Terminal and Progressing since I've
 been here my eyes have gone and my Heart has gotten weaker
 on April 14, 2018 I had a not side Appointment with a cardiologist
 Dr Shepler at Kikomo IA, I had my cancer Appointment couple days
 before and was weak from the Kikomo the two Correctional Officers
 Co. Houston & Co. Know was the two CO's who were taking me to my
 Appointment they chain me up and then chain my legs it took a few
 minutes to do my legs because I couldn't stand that well so I was
 made to put my knees in chair and cuffed that way I explained
 to the CO's I wasn't feeling right and I wished I could take a
 wheel chair I was denied because they already had Transport van.
 not wheel chair van. I got to Dr Shepler Heart doctor and have
 my visit and as I'm leaving I have to go down 5# steps as I
 start the Co. Houston reach to grab my chains and mist instead.

he hit my back I fell 5th concrete steps Face First. when co Houston
 and co. Review Picked me up I was bleeding very bad from my nose,
 lips, Face Head and elbows. Both eyes started swelling closed and bruising
 started very quickly The nurse at the Heart Doctors came to the door
 and thought the car had shot me there was so much blood. The nurse
 said your need to take you to the Hospital and co. Houston said no
 I have to call my Lt. Kinney. Lt. Kinney said him and medic 1
 Talk and decided to refuse medic co. Houston and co. Review bring him
 back to Prison. I Bled All the way back to the Prison blood was every
 where and when I got to the Prison my eyes were black & blue, Broken
 nose, concussion. Both knees were swollen and I couldn't walk the
 car got me a wheel chair and pushed me in to the Infirmary where
 I was brought in. RN. Gail Austin, RN. Vernie Fanning, Lesann
 Tiers, Lynn Fry, Don. Bobby both cos Houston, Review, Lt Kinney
 I.A. were taking Pictures I sat there for half a hour why they
 took Pictures and laughed and made comments about me. RN.
 Vernie Fanning came to me and Stopped a Bag of Ice on my face
 no one tried to stop the bleeding and I was still in cuffs the
 whole time I was back in Infirmary. RN. Vernie Fanning told RN.
 Gail Austin, Lynn Fry, and Doctors I was on to much medication
 Because I couldn't keep my head up so the Doctor lets my meds
 (an. xanax) in half even though I need them for my cancer
 Then Lynn Fry reminds me about the D.N.R. Form and smiles. I
 Finally was Put in my Bed and the next morning when I wake
 I still had the same bloody clothes on and both eyes were swollen
 all most shut. when I asked for Circumcise Form I was Refused
 so couple day go by and I ask again for Circumcise Form
 I was Refused once again. when I asked about Pictures and how
 could I get a copy they said what Pictures and laughed.
 now to this date I'm still not Allowed to use wheel chair for
 my outside visits and my cancer Pain medication hasn't been Put
 Back but on a regular basis I'm reminded about D.N.R. (Do Not Resuscitate)

3) April 14, 2018

4) Heart Doctors Dr. Shepler Kokomo ~~He~~ close to Hospital
Miami Correctional Facility's Infirmary

5) Why the Cts. Houston & Co. Remon didn't just take me to Hospital
or call ambulance I'm not sure The Lt. Kinnage didn't want to do
Extra Police work. medical is mad because I've cost so much
money to keep me alive and I won't sign D.A.R. so I'm giving
a hard time always. The superintendent and the commissioner Fox's
that it's not their job to help inmates But punish them always
for all other reasons such as laughing at me while I was bleeding
Refusing me medical I'm not sure and why medical Lynn Fry
is mad because I want let her win by signing her D.A.R.
(Do not Resist etc.)

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is

\$ _____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

*I'm asking that there be Policy change for the Terminal
I'll inmates on how we are Transported. I'm also asking
that the Defendants are Found Guilty of violating
my rights Amendment 8-14th and for being Deliberate
& Indifferent to me also and most of all violating
my safety & security at the time and Refusing me
medical Treatment when I was at Hospital with
this said I'm asking that Each Defendant Pay for my
Pain and suffering \$50,000.00 Each equaling \$600,000.00
Thousand. This is for I'm a Inmate with Terminal
Cancer and have Pain and suffering everyday But the
Defendants have Added so much Extra Pain which was
unnecessary.*

E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case
OR

☐ Court Trial - I want a judge to hear my case

Dated this 28 day of November 20 18.

Respectfully Submitted,

X Joseph Jernola

Signature of Plaintiff

232750

Plaintiff's Prisoner ID Number

Miami Correctional Facility

3038 W. 850 S. Bunker Hill Pa 46914

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.